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ROBERT H. SHELWELL, CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

PAI gr.

CURTIS L. PRUITT
Plaintiff,

v.

HARRIS HATCHET, ET AL,
Defendants

CIVIL ACTION NO: 1:03-cv-2221

JUDGE F.A. LITTLE, JR.

MAGISTRATE JUDGE JAMES D. KIRK

Sec P

MOTION FOR DISCOVERY

Comes now Curtis L. Pruitt Proceeding Pro Se would respectfully request this Honorable Court to grant plaintiff's request for discovery. Plaintiff states the following in support of this request:

Plaintiff seeks an opportunity to obtain material from the defendants to oppose summary judgment. Plaintiff filed a motion for discovery on January 28, 2005. However, this motion was denied on February 15, 2005 by Judge James D. Kirk. Under Fed. Rule Civ. Procedure Rule 26 (b) **Discovery Scope and limits.** (1) In General. Parties may obtain discovery regarding any matter, not privileged, that is relevant to the claim or defense of any party, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of any discoverable matter. For good cause, the Court may order discovery of any matter relevant to the subject matter involved in the action.

In the case at bar, plaintiff seeks discovery of documents relevant to opposing summary judgment.

Plaintiff respectfully moves this Honorable Court for an Order directing the Assistant United States Attorney, its agents, and any Bureau of Prison official, staff, or attorneys having knowledge of the facts, or any of them, to produce and permit the plaintiff to inspect and be provided a copy of each of the following documents, communications, and other tangible objects relevant to this request:

Plaintiff request discovery and inspection of the following items in the possession or control of the Bureau of prison at U.S.P Pollock, Louisiana or the Assistant United States Attorney.

1. Plaintiff seek the records pertaining to the events on or during the riot at U.S.P Pollock on November 9th 2003.
2. All reports, documents or portions of such concerning the staff involved in the riot on November 9th, 2003.
3. A copy of the Surveillance tape showing 3-Range on November 14th 2003 at about or between 4:30 and 5:30 P.M.
4. The personnel records of Harris Hatchet and any other staff involved in the securing of inmates during the prison disturbance on November 9th 2003.
5. Any photographs or diagrams of the scene of the compound, housing unit during the disturbance.
6. Any and all evidence which is in any way material to the issues of this case and which may be favorable to the plaintiff. Specifically noted in this regard are any statements, reports, or portions thereof, concerning the incident on November 14th 2003 on 3-Range during the assault on plaintiff.

7. Disciplinary records, including the date, place, nature of infraction and disposition thereof on November 14th 2003.

The above requests are made in good faith and not for the purpose of delay or to engage in a fishing expedition. The requested items are material and necessary for preparation of plaintiff's opposition to summary judgment by the defendants. They are in the possession or control of the Bureau of prison at U.S.P Pollock, Louisiana.

Plaintiff seek an order, pursuant to Rule 26 of the Fed.R.Civ.P and the inherent and supervisory powers of this Court, directing the Assistant United States Attorney and the Bureau of prisons to provide certain discovery and inspection as fully set forth in this discovery request.

SIGNED M. G. 2 Pruitt 21088-044
DATED July 11, 2005

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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JUL 19 2005

ROBERT H. SHEPHERD, CLERK
BY wh DEPUTY

Denied -
This matter was dismissed
with prejudice by judgment
dated 29 June 05³

FOLTA
Judge
19 July 05